

# Notice of Allowability

Application No.

10/808,862

Examiner

Nasser Ahmad

Applicant(s)

WOLF, ALEXANDER

Art Unit

1772

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/21/2006.
2. ☒ The allowed claim(s) is/are 21-42.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

Continuation of Attachment(s) 9. Other: Drawings submitted on 3/24/06 are acceptable to the examiner.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

The substitute specification submitted with the amendment of 8/21/2006 has been entered as to matter not affecting the scope of the invention.

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

A review of applicants' arguments in amendment filed on 8/21/2006 and a review of the instant amended claims has convinced the examiner that the claims are allowable over the prior art of record. The prior art fails to teach or suggest a sealing strip for sealing a gap between two parts, said sealing strip comprising: a flexible layer having a first surface adhereable one of said parts and a second surface sealingly engageable with the other of said parts; an adhesive layer positioned on said first surface and adapted to adhere said first surface to said one part; a cover sheet positioned over said adhesive layer and releasably attached thereto; and a tear thread extending

Art Unit: 1772

through the thickness of said cover sheet, one end of said tear thread protruding from one side of said cover sheet, an opposite end of said tear thread being positioned on an opposite side of said cover sheet, a planar anchoring element being attached to one of said ends of said tear thread and connecting said tear thread to said cover sheet for removing said cover sheet from said adhesive layer in one piece. It is noted by the examiner that the tear thread is interpreted as a thread that removes the cover sheet in one piece when pull therewith and does not tear the cover sheet. Also, no evidentiary support could be provided to support the position that the claimed invention would have been obvious over the prior art of record.

The closest prior art of SCHAUGHENCY (USP 6235365) relates to a cover sheet positioned over the adhesive and releasably attached thereto, a tear thread (16) connected to the cover sheet and tears the cover sheet as shown in figure-1. However, the reference fails to teach that the tear thread extends through the thickness of the cover sheet, with opposite ends protruding from the opposite sides of the cover sheet thickness, a planar anchoring element attached to one end of the thread and connecting said thread to said cover sheet, and removing the cover sheet in one piece with said pull thread.

The prior art of REISNER (USP 2770816) relates to a pull cord (8e) that is stitched to the masking strip but fails to teach that the cord extends through the thickness of the cover sheet, with opposite ends protruding from the opposite sides of the cover sheet

thickness, a planar anchoring element attached to one end of the thread and connecting said thread to said cover sheet, and removing the cover sheet in one piece with said pull thread.

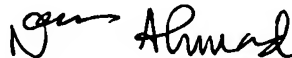
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1772

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Nasser Ahmad  
Primary Examiner  
Art Unit 1772  
11/9/06

N. Ahmad.  
November 9, 2006.